which have been extinguished therein shall not revive in consequence of such cessation.

CHAPTER III.

Of Village-forests.

Formation of village-forests.

27. The Local Government may from time to time assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests.

The Local Government may from time to time make rules for regulating the management of village-forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to reserved forests shall (so far as they are consistent with the rules so made) apply to village-forests.

CHAPTER IV.

Of Protected Forests.[1]

"Protected forests."

28. The Local Government may from time to time, by notification in the local official Gazette, declare the provisions of this Chapter applicable to any forest-land or waste-land which is not included in a reserved forest, but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled.

The

[1] As to the application of provisions relating to protected forests (1) to land not the property of the Government, *see* s. 38; (2) to forests, waste-land or produce the joint property of the Government and other persons, *see* s. 79, *infra*.

The forest-land and waste-lands comprised in any such notification shall be called a "protected forest."

No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest-land or waste-land comprised therein have been inquired into and recorded at a survey or settlement, or in such other manner as the Local Government thinks sufficient.

Every such record shall be presumed to be correct until the contrary is proved:

Provided that, if in the case of any forest-land or waste-land, the Local Government thinks that such inquiry and record are necessary, but that they will occupy such length of time as that the rights of Government will in the meantime be endangered, the Local Government may (pending such inquiry and record) declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.

Power to issue notification—reserving trees,

29. The Local Government may from time to time, by notification in the local official Gazette,—

(*a*) declare any class of trees in a protected forest, or any trees in any such forest, to be reserved from a date fixed by such notification;

closing forest.

(*b*) declare that a portion of such forest be closed for such term, not exceeding twenty years, as the Local Government thinks fit, and that the rights of private persons (if any) over such portion shall be suspended during such term: Provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for the due exercise of the rights suspended in the portion so closed;

prohibiting collection of forest-produce, etc.,

(*c*) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal, of

of any forest-produce, in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, any land in any such forest; and

and breaking up or clearing of land.

(*d*) alter or cancel such declaration or prohibition.

Publication of translation of such notification in neighbourhood.

30. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification.

Power to make rules for protected forests.

31. The Local Government may from time to time make rules to regulate the following matters :—

(*a*) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce, from protected forests;

(*b*) the granting of licenses to the inhabitants of towns and villages in the vicinity of protected forests to take trees, timber or other forest-produce for their own use, and the production and return of such licenses by such persons;

(*c*) the granting of licenses to persons felling or removing trees or timber or other forest-produce from such forests for the purposes of trade, and the production and return of such licenses by such persons;

(*d*) the

[1] For rules under this section for—
(1) Bombay, *see* pp. 167, 171 and 174 of the Bombay List of Local Rules and Orders, Ed. 1896;
(2) for protected Forests of Naini Tal, Ranikhet and Lalitpur, *see* p. 62 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894;
(3) for rules made by the Government of Bengal under this section and s. 41 for the protected forests in the Southal Parganas, *see* Calcutta Gazette, 1901, Pt. I, p. 571; in the Sunderbans, *see* Calcutta Gazette, 1892, Pt. I, p. 403; *ibid* 1900, Pt. I, p. 1434; in the Angul protected Forests, *see* Calcutta Gazette, 1901, Pt. I, p. 879

(*d*) the payments (if any) to be made by the persons mentioned in clauses (*b*) and (*c*) of this section, for permission to cut such trees, or to collect and remove such timber or other forest-produce;

(*e*) the other payments, if any, to be made by them in respect of such trees, timber and produce, and the places where such payment shall be made;

(*f*) the examination of forest-produce passing out of such forests;

(*g*) the clearing and breaking up of land for cultivation or other purposes in such forests;

(*h*) the protection from fire of timber lying in such forests and of trees reserved under section 29;

(*i*) the cutting of grass and pasturing of cattle in such forests;

(*j*) [[1] killing or catching elephants,] hunting, shooting, fishing, poisoning water and setting traps or snares in such forests;

(*k*) the protection and management of any portion of a forest closed under section 29;

(*l*) the exercise of rights referred to in section 28.

Penalties for acts in contravention of notification under section 29.

32. Any person who commits any of the following offences:—

(*a*) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise damages, any such tree;

(*b*) contrary to any prohibition under section 29, quarries any stone, or burns any lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce;

(*c*) contrary

[1] These words are repealed in the United Provinces, the Central Provinces and Coorg, and in local areas to which the Elephants Preservation Act, 1879, is extended—*see* Act VI of 1879, s. 2, printed, General Acts, Vol. III.

(*c*) contrary to any prohibition under section 29, breaks up or clears for cultivation or any other purpose any land in any protected forest;

(*d*) sets fire to such forest, or kindles a fire without taking all reasonable precautions to prevent its spreading to any trees reserved under section 29, whether standing, fallen or felled, or to any closed portion of such forest;

(*e*) leaves burning any fire kindled by him in the vicinity of any such trees or closed portion;

(*f*) fells any tree or drags any timber so as to damage any tree reserved as aforesaid;

(*g*) permits cattle to damage any such tree;

(*h*) infringes any rule made under section 31;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

[[1] Whenever fire is caused wilfully or by gross negligence in a protected forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of any right of pasture or to forest-produce shall be suspended for such period as it thinks fit.]

Nothing in this Chapter to prohibit acts done in certain cases.

33. Nothing in this Chapter shall be deemed to prohibit any act done with the permission in writing of the Forest-officer, or in accordance with rules made under section 31, or (except as regards any portion of a forest closed under section 29) [2] [or any rights the exercise of which has been suspended under section 32] in the exercise of any right recorded under section 28.

CHAPTER V.

[1] This clause was added to the section by s. 2 of the Indian Forest (Amendment) Act, 1901 (V of 1901).

[2] These words were inserted by s. 3 of Act V of 1901.

(*Chapter V.—Forests under Conservancy-administration when this Act comes into force.—Section 34. Chapter VI.—Of the Control over Forests and Lands not being the Property of Government.—Section 35.*)

CHAPTER V.

FORESTS UNDER CONSERVANCY-ADMINISTRATION WHEN THIS ACT COMES INTO FORCE.

Forests under conservancy-administration when this Act comes into force.

34. Within twelve months from the date on which this Act comes into force in the territories administered by any Local Government, such Government shall, after consideration of the rights of the Government and private persons in all forest-lands or waste-lands then under its executive control for purposes of forest-conservancy, determine which of such lands [if any] can according to justice, equity and good conscience, be classed as reserved forests or protected forests under this Act, and declare, by notification in the local official Gazette, any lands so classed to be reserved or protected forests, as the case may be:—

Provided that such declaration shall not affect any rights of the Government or private persons to or over any land or forest-produce in any such forest, which have, previous to the date of such declaration, been inquired into, settled and recorded in a manner which the Local Government thinks sufficient:

Provided also that if any such rights have not on such date been so inquired into, settled and recorded, the Local Government shall direct that the same shall be inquired into, settled and recorded in the manner provided by this Act for reserved or protected forests, as the case may be; and, until such inquiry, settlement and record have been completed, no such declaration shall abridge or affect such rights.

CHAPTER VI.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE PROPERTY OF GOVERNMENT.

Protection of forests for

35. The Local Government may from time to time,